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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,893	11/24/2003	Sivaprasad Padisetty	M1103.70583US00	5309
45840 7590 12/21/2010 WOLF GREENFIELD (Microsoft Corporation) C/O WOLF, GREENFIELD & SACKS, P.C. 600 ATLANTIC AVENUE BOSTON, MA 02210-2206				
EXAMINER WALERIC CHARLES				
ART UNIT 2195		PAPER NUMBER		
NOTIFICATION DATE 12/21/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patents\_eOfficeAction@WolfGreenfield.com  
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**Office Action Summary****Application No.**

10/720,893

**Applicant(s)**

PADISETTY ET AL.

**Examiner**

ERIC C. WAI

**Art Unit**

2195

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-21 are presented for examination.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 8, 10, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sudo (US Pat No. 5,692,192) in view of Jones et al ("TASK Forces: Distributed software for Solving Problems of Substantial Size", Proceedings of 4th Software Engineering, September 1979, pgs 315-330).
3. Regarding claim 1, Sudo teaches the computer-readable medium having computer-executable instructions stored thereon, when executed by a first computer in a group of peer computers, performs steps for coordinated execution of distributed tasks, comprising:  
  
receiving from at least one server, by the first computer in the group of peer computers, each of the peer computers in the group of peer computers having at least one processing unit and one input device and one output device distinct from the at

least one processing unit (col 4 lines 49-55), a set of execution instructions for the peer computers, the execution instructions including tasks to be performed and an automatically, without user action, determined assignment of the tasks to the peer computers (Fig 4, col 7 lines 19-27, wherein a distributed task executing on one node is expanded to other lightly loaded nodes)

forwarding, by the first computer in the group of peer computers to the other peer computers in the group, execution instruction information derived from the execution instructions, the execution instructions information that is forwarded to each respective peer computer in the group informing the respective peer computer of a relationship between one or more tasks assigned to the respective peer computer and one or more tasks assigned to the other peer computers in the group of peer computers (Fig 4, col 5 lines 23-31, col 7 lines 19-27, wherein by expanding the distributed task onto other nodes, threads comprising instructions are placed in the lightly loaded nodes, wherein it is inherent that the instructions indicate that the threads are part of a single distributed task);

executing, by the first computer, tasks assigned thereto in connection with execution of tasks assigned to the other peer computers in the group (Fig 4, col 7 lines 19-27, wherein the first node executes a portion of the distributed task), and

receiving, by the first computer from each of the other peer computers, and transmitting, by the first computer to each of to other peer computers, peer-to-peer communication messages containing task execution status to synchronize and coordinate the execution of the sequence of tasks (col 4 lines 51-53, wherein the nodes

communicate with each other; col 1 lines 41-61, wherein the plurality of information processing apparatuses are connected with a network so that the distributed resources can be used efficiently for the processing of distributed tasks).

4. Sudo does not explicitly teach that a sequence of tasks is received. Jones teaches that it routine for the execution of one process to be depending upon the progress of another process (pg 317, col 1 last paragraph). It would have been obvious to one of ordinary skill in the art to modify Sudo to teach that a distributed task comprises a sequence of tasks since it is well known in the art that program execution is typically serial in nature.

5. Regarding claim 3, Jones teaches that the execution instructions include a job that executes a predefined set of tasks (abstract, wherein it is inherent that the processors execute a set of tasks that are predefined).

6. Regarding claim 8, 10, 15, and 17, they are the method and computer system claims of claims 1 and 3. Therefore, they are rejected for the same reasons as claims 1 and 3.

7. Claims 2, 7, 9, 14, 16, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sudo (US Pat No. 5,692,192) in view of Jones et al ("TASK Forces:

Distributed software for Solving Problems of Substantial Size", Proceedings of 4th Software Engineering, September 1979, pgs 315-330), further in view of Applicant's Admitted Prior Art (AAPA).

8. Regarding claim 2, Sudo and Jones do not teach that the sequence of tasks to be performed constitutes a test run of interactive computer operations.
9. AAPA teaches the use of testing to ensure the proper functioning of computer hardware and software ([0002]).
10. It would have been obvious to one of ordinary skill in the art at the time of the invention to include that the sequence of tasks to be performed constitutes a test run of interactive computer operations. One would be motivated by the desire to ensure that the computers function properly.
11. Regarding claim 7, Sudo and Jones do not teach performing the step of reporting results of execution of tasks to a database.
12. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the reporting of results to a database. One would be motivated by the desire to save the results of a testing process as indicated by AAPA ([0002]).

13. Regarding claim 9, 14, 16, and 21, they are the method and computer system claims of claims 2 and 7. Therefore, they are rejected for the same reasons as claims 2 and 7.

14. Claims 4-6, 11-13, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable Sudo (US Pat No. 5,692,192) in view of Jones et al ("TASK Forces: Distributed software for Solving Problems of Substantial Size", Proceedings of 4th Software Engineering, September 1979, pgs 315-330), further in view of Saulpaugh et al. (US Pat No. 6,934,755 hereinafter Saulpaugh).

15. Regarding claim 4, Sudo and Jones do not teach that the execution instructions are provided to the first computer in an input XML document.

16. Saulpaugh teaches the use of the XML standard to represent objects and code (col 16 lines 1-7). Saulpaugh also teaches that XML object representations are language independent so that Java and non-Java applications can send and receive object from each other (col 16 lines 15-20).

17. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to include that the execution instructions are provided to the first computer in an input XML document. One would be motivated by the desire to use a communication standard to perform the passing of platform independent messages.

18. Regarding claims 5-6, Sudo, Jones, and Saulpaugh do not explicitly teach that the first computer process the input XML document to derive the execution instruction information for sending to the other peer computers and formats the execution instruction information as a second XML document for sending to the other peer computers.

19. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to include deriving the execution instruction information for sending to the other peer computers in XML format. One would be motivated by the desire to use a communication standard to perform the passing of platform independent messages.

20. Regarding claim 11-13, and 18-20, they are the method and computer system claims of claims 4-6. Therefore, they are rejected for the same reasons as claims 4-6.

### ***Response to Arguments***

21. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric C. Wai whose telephone number is 571-270-1012. The examiner can normally be reached on Mon-Thurs, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng - Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/  
Supervisory Patent Examiner, Art Unit 2195

/Eric C Wai/  
Examiner, Art Unit 2195